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4 UNITED STATES DISTRICT COURT

5 DISTRICT OF NEVADA

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7 ALISHA PROSSER,

Plaintiff,

8 v.

9 STRATEGIC STUDENT SOLUTION, LLC,

10 Defendant.

11 Case No. 2:16-cv-00743-APG-PAL

12 **REPORT OF FINDINGS AND
RECOMMENDATION**

13 This matter is before the court on Defendant's failure to comply with this court's Order
(ECF No. 10) and Order to Show Cause (ECF No. 11).

14 On August 16, 2016, the court entered an Order (ECF No. 10) requiring Defendant to (1)
15 retain counsel as Defendant is a corporation, and (2) file its certificate of interested parties no
16 later than September 9, 2016. The order further advised Defendant that failure to timely comply
17 with the court's order may result a recommendation to the district judge that default judgment to
18 be entered against Defendant for its failure to comply. To date, Defendant has failed to comply
19 with this court's order.

20 On September 14, 2016, the court entered an Order to Show Cause (ECF No. 11)
21 because Defendant failed to comply with the previous Order (ECF No. 10) requiring Defendant
22 to obtain counsel and file a certificate of interested parties. The court directed Defendant to
23 show cause in writing no later than October 5, 2016, why it had not complied with the Order
24 (ECF No. 10). The Order to Show Cause (ECF No. 11) advised Defendant that failure to timely
25 comply with this order may result in the imposition of sanctions up to and including a
26 recommendation to the district judge to: (1) strike the answer, and/or (2) entry of default
27 judgment. Defendant failed to file a response to the Order to Show Cause and has not requested
28 an extension of time in which to do so.

Defendant's willful failure to comply with the court's Orders is an abusive litigation practice that has interfered with the court's ability to hear this case, delayed this litigation, disrupted the court's timely management of its docket, wasted judicial resources, and threatened the integrity of the court's orders and the orderly administration of justice. Sanctions less drastic than default judgment would be ineffective because of Defendant's willful refusal to comply with multiple court Orders, the Local Rules of Practice, and complete failure to provide any response at all or request an extension of time in which to attempt to comply.

Accordingly,

IT IS RECOMMENDED that Defendant's Answer (ECF No. 6) be stricken and default judgment be entered against it.

DATED this 12th day of October, 2016.

Peggy A. Teer
PEGGY A. TEER
UNITED STATES MAGISTRATE JUDGE